

**MOBRIDGE CITY COUNCIL
REGULAR MEETING
June 2, 2014**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Monday, June 2, 2014 at 5:30 PM. Mayor Jamie Dietterle, Finance Officer Heather Beck, City Administrator Steve Gasser, City Attorney Rick Cain and the following council persons were present: Cox, Henderson, O'Connell (by phone) and Carlson. Absent was Cerney and Yellow Boy.

ADOPT AGENDA:

The agenda was adopted on a motion by Henderson, second by Carlson and carried.

MINUTES:

On a motion by Cox, second by Henderson and carried, to approve the minutes from the May 19, 2014 regular meeting and May 15, 2014 special meeting.

OLD BUSINESS:

SWIMMING POOL BID – Jay Koch, Helms Engineering, was present to discuss the pool bids with the Council. Koch reported that the lowest they can get the bid down to is \$3.32 million. Part of the problem is the time frame. If more time was allowed, more contractors would be interested in bidding. As the time frame sits now, Koch doubted the pool would be able to open by June 1, 2015. He stated the more realistic date would be the middle of July or beginning of August, which only leaves very little time for it to be open. Koch recommended rebidding the project within the next 45 days to entice more bidders by extending the completion date to May 15, 2016. Koch stated from speaking to other contractors, by rebidding, the project cost could come down to \$3.2 million. Moved by Henderson, second by Carlson and carried, to reject the bid from Sharp Enterprises. Moved by Carlson, second by Henderson and carried, to approve a redesign of the specs with suggested cuts and to re-advertise for bids.

The Mayor, Council and Helms Enterprises commended Sharp Enterprises for their willingness to work the City on the bid and hopes they put in another bid.

SWIMMING POOL BONDS – Toby Morris, Dougherty & Company, was present to answer any questions pertaining to the purchase of the bonds for the swimming pool. He stated that with the current market the City could potentially get anywhere between \$2.6 to \$2.7 million in bonds. He stated that there will be a lot of communication with in the next couple of weeks as we're ready to move to market.

2ND READING ORDINANCE NO. 932, ADOPTING INTERNATIONAL PROPERTY MAINTENANCE CODE – Moved by Carlson, second by Henderson and carried, to approve the 2nd reading of Ordinance No. 932, an ordinance of the City of Mobridge, South Dakota adopting the 2012 edition of the International Property Maintenance Code.

ORDINANCE NO. 932

**AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH
DAKOTA ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE
CODE.**

BE IT ORDAINED by the City of Mobridge, South Dakota:

Section 1. That a certain document, a copy of which are on file in the office of the Finance Officer of the City of Mobridge, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Mobridge, in the State of South Dakota for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each of all

the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Mobridge are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. CITY OF MOBRIDGE, SOUTH DAKOTA
Section 103.5 “actual cost to City”
Section 112.4 “actual cost to City”
Section 302.4 10 INCHES
Section 304.14
Section 602.3
Section 602.4 January 1 to December 1

Section 3. That the 2006 International Property Code and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Mobridge hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact the any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect and suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affection by this legislation.

Section 6. That the Finance Officer is hereby ordered and directed to cause this legislation to be published.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty days from and after the date of its final passage, adoption and publication.

NEW BUSINESS:

REMOVAL OF PROPERTY LOCATED AT 306 2ND AVE W – Jamie Hare, County States Attorney, was present to discuss with the Council combining resources to remove property located at 306 2nd Ave W. Hare reported that the two previous properties that were removed as a result of the joint effort between the County and the City have been sold. The City can be expecting half of the proceeds from the sale in the amount of \$2,400. No cost estimate for tearing the property down has been received. Moved by Cox, second by Carlson and carried, to approve sharing costs with the County in tearing down 306 2nd Ave W, with half the sale proceeds coming back to the City.

PLAY PARK – Hare also stated that it was discovered a park with the legal description of Lots 7-9, Block 10, Draeger’s Addition is deeded to the County. Hare wanted to inform the Council that the County was going to deed over the property to the City. The City already maintains the park. Moved by Cox, second by Henderson and carried, to approve accepting Lots 7-9, Block 10, Draeger’s Addition from the County.

TEMPORARY LIQUOR APPLICATION – Moved by Henderson, second by Carlson and carried, to approve moving the public hearing for a temporary liquor license for the Mobridge Rodeo Association to June 16, 2014.

PETITION TO VACATE ALLEY – A petition was received from Jensen Properties LLC requesting a platted alley lying between Tract S-2 and S-4, East Mobridge, located in the NE1/4 of Section 29, Township 124 North of Range 79 West of the 5th PM, Walworth County, South Dakota be vacated. Moved by Carlson, second by Henderson and carried, to approve setting a public hearing date for the petition and advertise.

AIRPORT FUEL TRUCK AGREEMENT – Moved by O’Connell, second by Carlson and carried, to approve the Mayor to sign an agreement with SD Department of Transportation authorizing the use of \$5,000 from the City’s fuel tax account for the purchase of the airport fuel truck.

PURCHASE OF NUISANCE PROPERTY – There are two lots that the City has a potential opportunity to purchase. These properties are properties with uninhabitable buildings located on them. Moved by Cox, second by Carlson and carried, to approve the City attorney doing title searches on both properties.

PARK BOARD MEMBER – Moved by Henderson, second by Cox and carried, to approve appointing Chris Fried to the Park Board. He is the new MYO president.

NWAS LEASE – Moved by Cox, second by Carlson and carried, to approve advertising for the NWAS old city hall lease for 3 months/\$350 per month.

BID TO STRIPE MAIN STREET – Moved by Carlson, second by Cox and carried, to approve a quote from Bestway Traffic to stripe Main Street in the amount of \$4,786.00.

STREET DEPARTMENT BID FOR RESURFACING - One bid was received from Jensen Rock & Sand. The bid was for \$1.65 per square yard for MC800 asphalt oil and \$1.55 per square yard for emulsion oil. The department head recommended using the emulsion oil. The bid also included resurfacing 2nd Ave W in the amount of \$18,709. Moved by Carlson, second by Henderson and carried, to approve the bid from Jensen Rock & Sand using the emulsion oil and resurfacing of 2nd Ave W.

MALT BEVERAGE LICENSES - Moved by Henderson, second by Cox and carried, to approve renewing the following malt beverage licenses for 2014-2015:

<u>APPLICANT</u>	<u>DESCRIPTION</u>	<u>TYPE OF LICENSE</u>
Bridge City Bait	Lot 1 Block 33 Grand Crossing	Retail (On-Off Sale)
Gas N More/Lucky’s	Lots 1-2 Block 34 Grand Crossing	Retail (On-Off Sale)
Great Plains Family Rest.	W6’ Lot 13, Lots 14-17 Block 41 Grand Crossing	Retail (On-Off Sale)
Last Chance	Lots 5 & 6 Block 41 NW 3 rd	Retail (On-Off Sale)
Mobridge Gas-n-Goodies	Lots 1-4 Block 22 Milwaukee 1 st	Retail (On-Off Sale)
Rick’s Cafe	Lots 2-6 Block 11 Mobridge Original	Retail (On-Off Sale)/SD Farm Wine
The Gas Stop	Lots 10-12 Block 1 Eklos 1 st	Retail (On-Off Sale)
The Grand Oasis	Lot 1 & part of Lots 2, 3 & 9 Blk 43, NWTS 3 rd Add	Retail (On-Off Sale)
Alco Discount Store	S 400’ of Lots 3&4 SE ¼ of 13-124-80	Package (Off-Sale)
Merkel’s Foods	Lots 14-18 Block 21 Milwaukee 1 st	Package (Off-Sale)
Payless Foods	Lots 4-15 Block 40 Grand Crossing	Package (Off-Sale)

AIRPORT PROJECT PAY REQUEST – Moved by Carlson, second by Cox and carried, to approve pay request no. 4 to North Star Construction, Inc. for the airport hangar project in the amount of \$53,161.43.

WATER TOWER PROJECT PAY REQUEST – Moved by Carlson, second by Cox and carried, to approve pay request no. 2A-C to Maguire Iron, Inc. in the amount of \$621,101.45.

NEW HIRE – Moved by Henderson, second by Carlson and carried, to approve hiring Tyler Villbrandt for full time summer employment for the water department at \$12.74 per hour effective May 29, 2014.

FIREWORKS DISPLAY PERMIT – Moved by Carlson, second by Henderson and carried to approve a fireworks display permit to the Mobridge Fire Department for the Rodeo Association to display fireworks on July 4, 2014.

PAYMENT OF BILLS:

Moved by O’Connell, second by Henderson and carried, to approve the following bills for payment:
 Aflac, insurance-749.42 ;Cain Law Office, attorney fees-170.00 ;A&B Business, supplies-34.95 ;AE2S, prof services-61.50 ;Alco Stores, supplies-178.02 ;Amber Jungwirth, prof services-800.00 ;Aqua Pure, Inc., chemical-10,657.50 ;Banyon Data Systems, prof services-295.00 ;Brodart, books-75.45 ;Cain Law Office, prof services-60.00 ;Center Point, books-44.34 ;Central Diesel, repairs-1,014.49 ;Centurion Holdings, LLC, books-78.67 ;Century Link, utilities-1,196.47 ;Colonial Research, supplies-3,944.29 ;Credit Collections Bureau, garnishment-209.92 ;Davis

Martin, mowing/contract labor-14,815.00 ;Environmental Toxicity Control, water samples-605.98 ;Fabra Tech, supplies-59.50 ;Family Dollar, supplies-5.30 ;Fed Ex, prof services-24.03 ;Ferguson Waterworks, supplies-740.36 ;Gienger Sales, supplies-288.00 ;Great Western Bank, payroll taxes-12,122.28 ;Gregg's Drilling & Excavating, prof services-3,575.00 ;GTC Auto Parts, supplies-53.56 ;Hawkins, chemical-4,947.71 ;Heartland Waste, clean up week-1,690.00 ;Heartland Waste, solid waste collection-16,432.50 ;Helms & Assoc., prof services-2,275.61 ;Homestead Building Center, supplies-217.36 ;Ingram, books-365.91 ;Johnson Controls, building-4,402.00 ;Lucky's, gasoline-1,588.00 ;Lu's Cleaning, building maintenance-400.00 ;Maguire Iron, Inc., water tower project-621,101.45 ;MDU, utilities-5,141.86 ;Moberge Fire Dept, gasoline/diesel-183.18 ;Moberge Garden Club, garden club-500.00 ;MVTL Laboratories, water samples-651.00 ;Neves Uniforms, uniforms-21.27 ;North Star Construction, buildings-53,161.43 ;Office Depot, supplies-53.25 ;Payless Foods, supplies-30.56 ;Priority Dispatch, training-39.00 ;Runnings, supplies-1,260.16 ;SD Dept of Revenue, water samples-839.00 ;SDRS Supplemental Retirement Plan, retirement-50.00 ;Share Corp, supplies-130.54 ;Slater Oil, gasoline for sale/LP gas-33,438.63 ;TASC, prof services-228.00 ;Total Administrative Services, flex-261.55 ;Tumbleson Lawn Services, repairs-360.00 ;US Post Office, postage-618.37 ;Valley Motors, vehicle maintenance/tires-118.59 ;Vessco, Inc., vehicle maintenance-160.86 ;Voyager Fleet, gasoline/diesel-527.82 ;Wellmark Blue Cross Blue Shield, health ins-19,977.25 ;Western Communications, supplies-141.00.

Salaries: Administration-4550.75; City Administrator-1991.27; Police Department-24177.78; Fire Department – 500.00; Street Department-5471.13; Library-2743.26; Auditorium-1174.55; 24/7-177.97; Water Department-5439.76; Sewer Department-2556.31; and Airport – 1224.00.

There being no further business to come before the council, the meeting adjourned at 6:09 PM on a motion by Henderson, second by Cerney and carried.

Heather Beck, Finance Officer
Published once at the total approximate cost of \$

Jamie Dietterle, Mayor